IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION LODGING NO.916 of 2006

The Kalina Merchant Welfare Association & Ors. ...Petitioner

Vs.

The State of Maharashtra & Ors. ...Respondents

Mr. R.D. Soni with Mr. Bipin Joshi, for the Petitioners

Mr.R.M. Sawant, Government Pleader for Respondent Nos. 2 and 3.

Mr.K.R. Belosey, AGP for Respondent Nos. 1 and 5.
Mrs. S. Ajitkumar for Respondent NO.4.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA JJ.
DATE : 17th April,2006

P.C.:

. Respondent authorities are taking steps pursuant to the order of this Court dated 1st March, 2006 in Writ Petition N.2115 of 2005.

2. The petitioners claim to be an Association representing private owners. In a list at Exhibit A we find that 11 persons whose names are listed down there,in so far as their structures are concerned they are held to be eligible. In terms of the order of this Court dated 1st March, 2006 the respondents in terms of para.4 are bound to rehabilitate them.

3. The case of the petitioners is that the Association represents the owners of the land as also those whose structures on the said land. It will not be possible for us to entertain such a petition. IN the event if there is any private owners whose land is being acquired without following the due process of law it will be open to

such owners to take appropriate steps according to law. Considering the present controversy and the judgment of this Court and Exhibit "A" to the petition itself we are not inclined presently and considering that the petitioner Nos. 2 to 11 have been held to be eligible, to entertain the petition at the instance of the petitioner No.1. With the above observation petition stands disposed of.

(F.I.REBELLO, J.)

(ANOOP V. MOHTA, J.)